

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,  
V.

RICHARD EUGENE HARTMAN,

CR 20 126 VC

DEFENDANT(S).

## INDICTMENT

18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) – Possession of Child Pornography;  
18 U.S.C. § 2253(a) – Criminal Forfeiture

A true bill.

Foreman

Filed in open court this 12 day of March, 2020

Clerk

DONNA M. RYU

Bail, \$

NO PROCESS

FILED

MAR 12 2020

SUSAN Y. SOUNG  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

COUNT 1: 18 U.S.C. § 2252(a)(4)(B) &amp; (b)(2) – Possession of Child Pornography

- ☐
- Petty
- 
- ☐
- Minor
- 
- ☐
- Misdemeanor
- 
- ☒
- Felony

PENALTY: 20 years imprisonment; \$250,000 fine; minimum 5 years and maximum lifetime supervised release; \$5,100 special assessment, forfeiture, restitution

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**DEFENDANT - U.S.**

Richard Eugene Hartman

DISTRICT COURT NUMBER

**CR 20 126 VC****PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

FBI

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under
**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☐ If not detained give date any prior summons was served on above charges

 2) ☐ Is a Fugitive

 3) ☒ Is on Bail or Release from (show District)

Northern District of California

**IS IN CUSTODY**
 4) ☐ On this charge

 5) ☐ On another conviction

 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency &amp; Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

Name and Office of Person

Furnishing Information on this form DAVID L. ANDERSON

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Molly A. Smolen

**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: \_\_\_\_\_

Before Judge: HON. DONNA M. RYU

Comments:

DAVID L. ANDERSON (CABN 149604)  
United States Attorney

FILED  
MAR 12 2020  
SUSAN Y. SOCHING  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
RICHARD EUGENE HARTMAN,  
Defendant.

CASE NO. **CR 20 126 VC**  
VIOLATIONS:  
18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) – Possession  
of Child Pornography;  
18 U.S.C. § 2253(a) – Criminal Forfeiture

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) – Possession of Child Pornography)

On or about July 24, 2019, in the Northern District of California, the defendant,

RICHARD EUGENE HARTMAN,

did knowingly possess matter which contained at least one visual depiction that had been shipped and transported using a means and facility of interstate and foreign commerce and had been shipped and transported in and affecting interstate and foreign commerce, the production of which visual depiction involved the use of a minor who had not attained 12 years of age engaging in sexually explicit conduct, which visual depiction was of such conduct, all in violation of Title 18, United States Code, Sections

INDICTMENT

1 2252(a)(4)(B) and (b)(2).

2 FORFEITURE ALLEGATION: (18 U.S.C. § 2253(a))

3 The allegations contained in this Indictment are re-alleged and incorporated by reference for the  
4 purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253.

5 Pursuant to Title 18, United States Code, Section 2253, upon conviction of the offense set forth  
6 in this Indictment, the defendant,

7 RICHARD EUGENE HARTMAN,

8 shall forfeit to the United States of America:

- 9 a. any visual depiction described in Title 18, United States Code, Sections 2251 or  
10 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter  
11 which contains any such visual depiction, which was produced, transported, mailed,  
12 shipped or received in violation of Title 18, United States Code, Chapter 110;  
13 b. any property, real or personal, constituting or traceable to gross profits or other  
14 proceeds obtained from the offenses; and  
15 c. any property, real or personal, used or intended to be used to commit or to promote  
16 the commission of the offenses.

17 The property to be forfeited includes, but is not limited to:

- 18 a. HP Desktop PC, serial number 8CG8454F6X;  
19 b. Crucial 250 GB SSD, serial number 1510F003C119;  
20 c. Seagate 1000 GB HDD, serial number S4Y22M0X;  
21 d. PNY 128 GB USB Drive; and  
22 e. Lenovo Laptop PC, serial number YB07935834.

23 If any of the property described above, as a result of any act or omission of the defendant:

- 24 a. cannot be located upon exercise of due diligence;  
25 b. has been transferred or sold to, or deposited with, a third party;  
26 c. has been placed beyond the jurisdiction of the court;  
27 d. has been substantially diminished in value; or  
28 e. has been commingled with other property which cannot be divided without

1 difficulty,

2 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,  
3 United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b)  
4 and Title 28, United States Code, Section 2461(c).

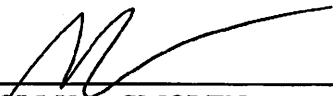
5 All pursuant to Title 18, United States Code, Section 2253, Title 28, United States Code,  
6 Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

7  
8 DATED: March 12, 2020

A TRUE BILL.

9  
10   
11 FOREPERSON

12 DAVID L. ANDERSON  
13 United States Attorney

14   
15 MOLLY A. SMOLEN  
16 Assistant United States Attorney